

From: Benjamin Watkins
To: Microsoft ATR
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Subject: Microsoft Settlement

I am very concerned about the proposed settlement with Microsoft Corporation regarding a remedy to their gross violations of antitrust law. I do not believe that this remedy comes close to the legal requirements set forth by the Court of Appeals ruling:

"a remedies decree in an antitrust case must seek to 'unfetter a market from anticompetitive conduct', to 'terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future' (section V.D., p. 99).

The proposed settlement will allow Microsoft Corporation to continue many of the same practices that put it in violation of antitrust law in the first place, this time with the blessing of the US Department of Justice. In effect, the Department of Justice would be sanctioning further monopolistic practices and consequently causing a stronger lock-in of the market, the exact opposite of the requirements of any remedy. I believe that Microsoft Corporations's past deceptive and anti-competitive practices warrant a much harsher and more thorough remedy that addresses these concerns, and truly represents the protection of consumers that is at the heart of antitrust law.

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